

DECLARATION AND POWER OF ATTORNEY – PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought in the application entitled:

Methods For Identifying And Treating Resistant Tumors _____, the specification of which
 (check one) ☒ is attached hereto _____
 _____ was filed on _____ as
 United States Application Serial No. _____ or
 PCT International Application No. _____
 and was amended on _____

I hereby declare that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)		Priority Claimed
P 44 32 563.0 (Number)	Germany (Country)	13 September 1994 (Day/Month/Year Filed)
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PCT/US95/11125 (Number)	WO (Country)	31 August 1995 (Day/Month/Year Filed)
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

Application Number	Filing Date
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Application Number	Filing Date
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/298.644 Application Serial No.	31 August 1994 Filing Date	Patented Status-patented, pending, abandoned
08/793.659 Application Serial No.	26 February 1997 Filing Date	Pending Status-patented, pending, abandoned

I hereby appoint William R. Coffey, Reg. No. 24023; Arland T. Stein, Reg. No. 25062; Nancy J. Harrison, Reg. No. 27083; Richard D. Conard, Reg. No. 27321; Dilip A. Kulkarni, Reg. No. 27510; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; David B. Quick, Reg. No. 31993; Paul B. Hunt, Reg. No. 37154; Sue Corbett Watson, Reg. No. 38850; Jill T. Powlick, Reg. No. 42088; Jay S. Paranjpe, Reg. No. 45486; James R. Sweeney II, Reg. No. 45670; Dustin S. DuBois, Reg. No. 46233; Christopher E. Haigh, Reg. No. 46377; Kevin D. Bailey, Reg. No. 46531; Rebecca Ball, Reg. No. 46535; Dewayne A. Hughes, Reg. No. 46783; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; David E. Herron, Reg. No. 46467; Bobby B. Gillenwater, Reg. No. 31105; Gregory S. Cooper, Reg. No. 40965; Scott M. Lohnes, Reg. No. 45451; Thomas J. Donovan, Reg. No. 33231; Alice O. Martin, Reg. No. 35601; Grant H. Peters, Reg. No. 35977; Mark A. Hamill, Reg. No. 37145;

Michael B. Allen, Reg. No. 37582; and [redacted] P. Albers, Reg. No. 44008, as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG
11 South Meridian Street
Indianapolis, Indiana 46204
Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Jason Scott Sawyer

Full Name of Sole or First Joint Inventor

Inventor's Signature

Residence and Post Office Address

Stephen M. Spaeche

Full Name of Second Joint Inventor

Inventor's Signature

Residence and Post Office Address

James Jacob Starling

Full Name of Third Joint Inventor

Inventor's Signature

Residence and Post Office Address

Full Name of Fourth Joint Inventor

Inventor's Signature

Residence and Post Office Address

375721

U.S.A.

Country of Citizenship

Date

U.S.A.

Country of Citizenship

Date

U.S.A.

Country of Citizenship

Date

Country of Citizenship

Date

09/2000

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: Unknown

Attorney

Docket: 3051-67789

Applicant: Jason Scott Sawyer, Stephen M.
Spaethe, and James Jacob StarlingInvention: METHODS FOR IDENTIFYING AND
TREATING RESISTANT TUMORS

U.S. Serial No: Unknown

U.S. Filing Date: April 17, 2001

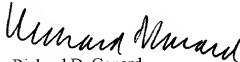
Examiner: Unknown

Certificate Under 37 C.F.R. 1.10Express Mail Label No.: EL 230 256 606 USDate of Deposit: April 17, 2001I hereby certify that this correspondence is being
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under 37 C.F.R. 1.10 on the date above and is
addressed to the Assistant Commissioner for
Patents, Washington, D.C. 20231Gaila L. TwymanTyped or Printed Name of Person Mailing Paper or
FeeGaila L. Twyman
Signature of Person Mailing Paper or FeeASSOCIATE POWER OF ATTORNEYAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Richard D. Conard, Registration No. 27,321, hereby appoint Rebecca L. Ball, Registration No. 46,535, as an associate attorney in the above-identified application, with power to prosecute this application, to make alterations and amendments therein, and to transact business in the Patent and Trademark Office connected therewith.

Respectfully submitted,

Richard D. Conard
Registration No. 27,321
Attorney for Applicants